


MEMORANDUM

March 16, 2012

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: **Action:** Bill 1-12, Personnel – Special Days of Commemoration - Amendments

Government Operations and Fiscal Policy Committee recommendation (3-0): approve the Bill as introduced.
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Bill 1-12, Personnel – Special Days of Commemoration - Amendments, sponsored by Councilmembers Ervin and Floreen, Vice President Navarro, and Councilmembers Riemer, Andrews, Rice, and Elrich, and Council President Berliner was introduced on January 17, 2012. A public hearing was held on February 7 and a Government Operations and Fiscal Policy Committee was held on March 12.

Background

The religious, ethnic, and cultural heritage of County residents is very diverse. The County benefits economically, intellectually, culturally, and socially from the richness and strength of its diversity and seeks to promote an inclusive community for all residents. The Council enacted Bill 1-06 on March 28, 2006 to designate certain days of commemoration in order to recognize this diversity. The ability of County employees to provide high quality customer service is enhanced when County employees know that certain days have special religious, ethnic, or cultural meaning that will affect the daily activities of a significant number of County residents.

Under Code §33-4B(c) and (d), the CAO must provide electronic notice to each County employee every 3 months of the upcoming days of commemoration and a second notice 7 days before each day of commemoration each year. The notice must include a brief explanation of the reason for the commemoration, a description of any activities that may affect County services on that day, if any, and the rules for taking leave for religious observance if the day is a religious holiday.

Bill 1-12 would add Korean American Day as an additional day of commemoration. Korean Americans make up approximately 3% of the County's population. Korean American Day is celebrated on January 13 to commemorate the first group of immigrants to the US from Korea who arrived on Jan. 13, 1903. Since 1903, Korean Americans have made significant contributions to Montgomery County and the United States in many different areas.

In addition to the days of commemoration designated in law by Bill 1-06, Code §33-4B(b)(2) authorizes the Chief Administrative Officer to designate additional days of commemoration that have “special religious, ethnic, or cultural meaning that may affect the daily activities of a significant portion of the County’s total population.” Although the CAO has already designated Korean American Day as a day of commemoration under this authority, Bill 1-12 would codify this decision.

Public Hearing

Chung K. Pak, Korean-American Senior Citizens and Coalition for Asian Pacific-American Democrats (©9), James Suh, Korean-American Association of the State of Maryland, and Yun J. Yang, Korean-American Women’s Chamber of Commerce each testified in support of the Bill at the February 7 public hearing.

March 12 Worksession

Angela Washington, EEO Officer, Office of Human Resources, represented the Executive Branch at the March 12 Government Operations and Fiscal Policy Committee worksession. The Committee recommended approval (3-0) of the Bill as introduced.

Council staff recommendation: approve the Bill as introduced.

This packet contains:

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Bill No. 1-12
Concerning: Personnel – Special Days
of Commemoration - Amendments
Revised: January 18, 2012 Draft No. 3
Introduced: January 17, 2012
Expires: July 17, 2013
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Ervin and Floreen, Vice President Navarro, and Councilmembers Riemer, Andrews, Leventhal, Rice, and Elrich, and Council President Berliner

AN ACT to:

- (1) designate certain additional days of commemoration; and
- (2) generally amend the law relating to County employees and the religious, ethnic, and cultural heritage of County residents.

By amending

Montgomery County Code
Chapter 33, Personnel and Human Resources
Section 33-4B, Days of Commemoration

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Section 33-4B is amended as follows:

Sec. 33-4B. Days of commemoration.

(a) Legislative findings.

- (1) The religious, ethnic, and cultural heritage of County residents is very diverse.
- (2) The County benefits economically, intellectually, culturally, and socially from the richness and strength of its diversity and seeks to promote an inclusive community for all residents.
- (3) The County's respect for the diversity of its own workforce is reflected in the County's rules governing leave and alternate work schedules for religious observance.
- (4) The ability of County employees to meet the needs of County residents and provide high quality customer service is enhanced when County employees know that certain days have special religious, ethnic, or cultural meaning that will affect the daily activities of a significant number of County residents.

(b) Days of commemoration.

- (1) Each of the following calendar days is designated a day of commemoration:
 - (A) Eid Ul-Adha;
 - (B) Asian Lunar New Year;
 - (C) Martin Luther King Day;
 - (D) Ash Wednesday;
 - (E) Purim;
 - (F) Passover;
 - (G) Holy Thursday;
 - (H) Good Friday;

- 28 (I) Easter;
- 29 (J) Orthodox Holy Thursday;
- 30 (K) Orthodox Good Friday;
- 31 (L) Orthodox Easter;
- 32 (M) Ascension Thursday;
- 33 (N) Shavuot;
- 34 (O) Feast of the Assumption;
- 35 (P) Juneteenth;
- 36 (Q) Rosh Hashanah;
- 37 (R) Yom Kippur;
- 38 (S) Succoth;
- 39 (T) Shmini Atzeret;
- 40 (U) Simchas Torah;
- 41 (V) Eid Ul-Fitr;
- 42 (W) Diwali;
- 43 (X) Feast of All Saints;
- 44 (Y) Feast of the Immaculate Conception;
- 45 (Z) Christmas; [and]
- 46 (AA) Kwanza; and
- 47 (BB) Korean American Day.

48 * * *

49 *Approved:*

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Roger Berliner, President, County Council

Date

LEGISLATIVE REQUEST REPORT

Bill 1-12

Personnel – Special Days of Commemoration - Amendments

DESCRIPTION: This bill would add Korean American Day as an additional day of commemoration to the list of calendar days already designated that have special religious, ethnic, or cultural meaning.

PROBLEM: Korean Americans make up approximately 3% of the County's population. Korean American Day is celebrated on January 13 to commemorate the first group of immigrants to the US from Korea who arrived on Jan. 13, 1903. Since 1903, Korean Americans have made significant contributions to Montgomery County and the United States in many different areas.

GOALS AND OBJECTIVES: The ability of County employees to provide high quality customer service is enhanced when County employees know that certain days have special religious, ethnic, or cultural meaning that will affect the daily activities of a significant number of County residents. The addition of Korean American Day will enhance the awareness of the contributions made by Korean Americans.

COORDINATION: Chief Administrative Officer, Human Resources

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

EVALUATION: To be requested.

EXPERIENCE ELSEWHERE: To be researched.

SOURCE OF INFORMATION: Robert H. Drummer, Senior Legislative Attorney, 240-777-7895

APPLICATION WITHIN MUNICIPALITIES: To be researched.

PENALTIES: Not applicable.



ROCKVILLE, MARYLAND

MEMORANDUM

February 6, 2012

TO: Roger Berliner, President, County Council

FROM: Jennifer A. Hughes, Director, Office of Management and Budget
Joseph F. Beach, Director, Department of Finance *Jennifer Hughes*

SUBJECT: Bill 1-12 - Personnel - Special Days of Commemoration – Amendments

Attached please find the fiscal and economic impact statements for the above-referenced legislation.

JAH:hpv

c: Kathleen Boucher, Assistant Chief Administrative Officer
Lisa Austin, Offices of the County Executive
Joy Nurmi, Special Assistant to the County Executive
Patrick Lacefield, Director, Public Information Office
Alex Espinosa, Office of Management and Budget
Blaise DeFazio, Office of Management and Budget
Helen Vallone, Office of Management and Budget
Naeem Mia, Office of Management and Budget

Fiscal Impact Statement
Bill 1-12 - Personnel - Special Days of Commemoration – Amendments

1. Legislative Summary.

Bill 1-12 would add Korean-American Day as an additional day of commemoration. Korean-Americans make up approximately 3% of the County's population. Korean-American Day is celebrated on January 13 to commemorate the first group of immigrants to the US from Korea who arrived on Jan. 13, 1903.

The religious, ethnic, and cultural heritage of County residents is very diverse. The County benefits economically, intellectually, culturally, and socially from the richness and strength of its diversity and seeks to promote an inclusive community for all residents. The Council enacted Bill 1-06 on March 28, 2006 to designate certain days of commemoration in order to recognize this diversity. The ability of County employees to provide high quality customer service is enhanced when County employees know that certain days have special religious, ethnic, or cultural meaning that will affect the daily activities of a significant number of County residents.

Although the CAO has already designated Korean-American Day as a day of commemoration under Code §334B(b)(2), Bill 1-12 would codify this decision.

2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.

This bill is not expected to produce any fiscal impact on revenues or expenditures.

3. Revenue and expenditure estimates covering at least the next 6 fiscal years.

This bill is not expected to produce any fiscal impact on revenues or expenditures.

4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.

Not applicable.

5. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.

Not applicable. This bill does not authorize any spending.

6. An estimate of the staff time needed to implement the bill.

No additional staff time is needed to implement this bill. Korean-American Day is already recognized as a Special Day of Commemoration.

- 7. An explanation of how the addition of new staff responsibilities would affect other duties.**

Not applicable.

- 8. An estimate of costs when an additional appropriation is needed.**

Not applicable.

- 9. A description of any variable that could affect revenue and cost estimates.**

Not applicable. This bill does not affect revenues or costs.

- 10. Ranges of revenue or expenditures that are uncertain or difficult to project.**

Not applicable.

- 11. If a bill is likely to have no fiscal impact, why that is the case.**

Not applicable. This bill has no fiscal impact.

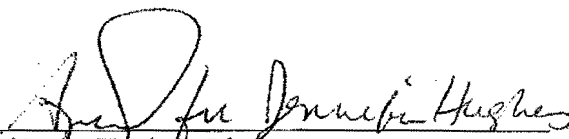
- 12. Other fiscal impacts or comments.**

- 13. The following contributed to and concurred with this analysis:**

Stuart Weisberg, Office of Human Resources

Helen P. Vallone, Office of Management and Budget

Naeem Mia, Office of Management and Budget



Jennifer A. Hughes, Director
Office of Management and Budget

2/6/12
Date

Economic Impact Statement
Council Bill 1-12, Personnel -Special Days of Commemoration -Amendments

Background:

This proposed legislation adds Korean American Day to the list of Days of Commemoration observed for County employees. Designation as a Day of Commemoration means that the day has special religious, ethnic or cultural meaning.

1. The sources of information, assumptions, and methodologies used.

Not applicable.

2. A description of any variable that could affect the economic impact estimates.

Not applicable.

3. The Bill's positive or negative effect, if any on employment, spending, saving, investment, incomes, and property values in the County.

Not applicable.

4. If a Bill is likely to have no economic impact, why is that the case?

The bill is administrative only.

5. The following contributed to and concurred with this analysis: Mike Coveyou,
Finance



Joseph F. Beach, Director
Department of Finance

1/26/12
Date

Dear Council: President Roger Berliner and Council members

We would like to extend our strong support for the special commemorative bills introduced by Councilmembers Valerie Ervin and George Laventhal.

As you may be aware, the first group of immigrants from Korea came to the U.S. on Jan. 13, 1903. Since then the Korean American population grew to more than 1.5 millions in this country and has made significant contributions to Montgomery County and the United States. Through their hard work, talent, and resources, Korean Americans have made Montgomery County one of the greatest places to live, work, educate our children and raise a family. Their outstanding achievements in the area of science, technology, education, business and arts has helped improve the lives of countless in Montgomery County and our nation. Many Korean Americans also made the ultimate sacrifice in various wars, including World War II, Korean War, Vietnam War, Gulf War, Iraq War, Afghanistan War, and the War on Terror, to defend our country. Col. Young-Oak Kim, a Korean American, for example, led the most decorated unit, the 100/442nd Battalion, in the U.S. military history.

In support of the special commemorative bills, the following organizations have asked me to use their names:

Korean American Assoc. of the State of Maryland

Korean Society of Maryland

Korean American Assoc. of the Washington Metropolitan Area

Korean American Senior Citizens Assoc. of Maryland

Korean American Drycleaners Assoc. of Maryland

Montgomery County Korean American Association

Korean American Women's Chamber of Commerce

Korean Vietnam Veterans Assoc. of USA

League of Korean Americans of Maryland

Global Hanin Yunda

Korean American Chamber of Commerce of Greater Washington, D.C.

Hanmyung Assoc. of Washington, D.C.

Korean American Automobile Assoc.

Korean Community Service Center

Montgomery County Korean American Beverage Assoc.

Thank you for your consideration of our view on these bills.

Chung K. Pak